
REMARKS

This amendment is submitted in response to the Official Action Dated November 11, 2003. Claims 1-14 were pending in the Application. Claims 1-14 stand rejected. Also the drawings were objected to.

Applicant traverses those objections and rejections with which he has not complied, and based on the claim amendments presented above, and the arguments presented below, respectfully requests reconsideration and continued examination of the application, and withdrawal of the objections and rejections.

The Drawings

The drawings have been amended to overcome the rejections. With respect to the objections to Figures 1 and 1A, a replacement drawing sheet 1/5 is included herewith, to remove the text from Figure 1 and to darken some of the component numbers to make them more easy to read. Therefore, Applicant respectfully requests withdrawal of this objection and acceptance of the replacement drawing sheet. No new matter has been added.

With respect to the objection regarding ramlocks not being shown in the drawings, no drawing changes have been made at this time. During a telephonic interview with Examiner on February 12, 2004, Applicant's attorney pointed out that ramlock devices ARE indeed shown in the original drawings, at Figure 3B, element number 336. Ramlocks are bolting type devices, as described in the specification and are shown in the drawings. Thus, no drawing change is required since the ramlocks, element number 336 are shown in Figure 3B. Therefore, Applicant respectfully requests withdrawal of this objection. No new matter has been added.

The Claims

Generally

Claim 1 has been amended pursuant to telephonic interview with Examiner on February 12, 2004 and is drawn to a wall system, with panels terminating mid-rib, and connection means. Claims 7-14 have been canceled. New claims 15-20 have been added, pursuant to discussion with examiner, to include in the system of claim 1 variations on connection means that used to be in canceled claims 7-14.

35 USC § 102(b)

Myers

In the Official Action, claims 1-4 stand rejected under 35 USC § 102(b) as being anticipated by US Patent No. 5,088,259 to Myers.

With respect to claim 1 Examiner states that Myers discloses a wall panel containing a ribbed interior skin (Fig. 3:18), a flat exterior skin (Fig. 3:30), a foam core shaped to fit between the two skins (Fig. 3:50) and slots on the core running axially along the length of a rib (Fig. 3:54).

First of all, Applicant's claim 1 is drawn to a structural wall panel system not a roof construction system as in Myers. Thus, Myers does not disclose a wall panel as Examiner asserts. Also claim 1, as amended, contains elements not present in Myers. Claim 5 has been canceled and claim 1 contains the element that the side edges of the structural wall panel system of the present invention are terminated at the mid-point of a rib peak. Myers contains no such element. Myers discloses ribbed metal roofs already in place on a building with no specific shape or structure. Thus, the element of panels that terminate mid-rib is not present in Myers. In addition, means of joining adjacent wall system panels have been added to claim 1. Myers does not even discuss joining adjacent ribbed anything because there is physically no possibility for such a joining. Myers ribbed element is an existing roof. The roof is not joined to anything adjacent to it. Thus no joining elements are disclosed in Myers. Therefore,

because claim 1 contains elements not disclosed in Myers, Myers does not anticipate this claim and Applicant respectfully requests withdrawal of the rejection.

With respect to claim 2 Examiner states that Myers discloses metal ribbed skin (Col. 2, line 64).

First of all, Myers does not disclose an axial load bearing skin, as claimed in the present invention. The existing ribbed roof in Myers is not an axial load bearing panel regardless of the material from which it is made. In addition, claim 2 is dependent on a base claim, claim 1, that discloses elements not present in Myers, and is not anticipated by Myers. Therefore, because claim 1 is not anticipated by Myers, claim 2 is also not anticipated by Myers and Applicant respectfully requests withdrawal of the rejection.

With respect to claim 3 Examiner states that Myers discloses the exterior skin as fiberglass (Col. 3, lines 49 -51).

Applicant respectfully disagrees with this characterization. The fiberglass portion of Myers is an INTERNAL structure. In fact, the fiberglass of Myers is not even a layer by itself. Prior to the lines cited by Examiner, at column 3, lines 42-48, Myers describes element 30 as a "water impervious membrane" that preferably includes a fiberglass core which is not even shown! See line 51. Thus, the only fiberglass that appears in Myers is as an inner core of a waterproof layer – it's even INSIDE the waterproof layer which itself is an internal structure! Yes, "everything is relative" so that the fiberglass-containing layer 30 of Myers is "exterior" to something, and also "interior" to something. However, there is a final "exterior-MOST" layer and an "interior-MOST" layer. THE exterior layer of Applicant's invention is the layer exposed to the atmosphere and is fiberglass. The "exterior-MOST" layer of Myer is element number 38, a layer of elastomeric waterproof material as described at Column 4, lines 29-38 that is sprayed on to the foam layer. Thus, "THE" exterior layer, as stated by Examiner, of Myers is NOT fiberglass. A *portion* of an internal layer of Myers is fiberglass but the

fiberglass is the inner core of an interior layer. Thus, Myers does not disclose "THE" exterior skin as fiberglass.

In addition, however, claim 3 is dependent base claim 1 that is not anticipated by Myers, thus claim 3 is also not anticipated by Myers, and Applicant respectfully requests the rejection be withdrawn.

With respect to claim 4, Examiner states that Myers discloses the use of foam cores (Fig.s 1-14). Claim 4 is dependent on base claim 1 that is not anticipated by Myers, thus claim 4, using foam with the structural wall panel system of the invention, is also not anticipated by Myers and Applicant respectfully requests the rejection be withdrawn.

35 USC § 103(a)

Myers/Buell

In the Official Action, claim 5 stands rejected under 35 USC § 103(a) as being unpatentable over US Patent No. 5,088,259 to Myers in view of US Patent No. 2,991,855 to Buell.

Examiner states that Myers discloses vertical edges on the ribbed skin but does not disclose the vertical edges as being terminated at a point half the width of a rib, but that Buell discloses a ribbed wall structure having a ribbed skin that has vertical sides which are terminated at a mid point of the rib width (Fig. 2 & 3:35). Examiner asserts that it would have been obvious to modify Myers by using the sidewalls as disclosed by Buell in order to create a better fit between ribbed skins, as disclosed by Buell in Fig. 2, and provide a more secure, smoother connection.

Claim 5 has been canceled. However, the limitation of claim 5 is now in claim 1 and Applicant respectfully disagrees with Examiner's analysis of Myers and the combination with Buell.

There is no way a combination of Myers and Buell could possibly result in Applicant's invention. There is no teaching whatsoever in the primary reference, Myers, that would lead anyone in the art to connect anything side to side. The ribbed structure of Myers is an existing roof. A metal ribbed roof cannot even really be an element of Myers' invention which is a re-roofing system to be put on over an existing roof. No ribbed roofs or portions of roofs are connected adjacent to anything in Myers. Thus, one would not even be lead to shaping a ribbed panel in any particular way by Myers. There is no need in Myers for optimizing any shape for smoother or more secure connection. There is simply no connection of panels needed or taught in Myers. One would not even look to Myers in the first place for a connectable structural wall panel system. No panels or ribbed members are connected adjacent each other in Myers at all. Thus, one would not even be lead, by Myers, to Buell in the first place. Secondly, even if the ribbed existing roof of Myers were terminated mid-rib Applicant's connectable structural wall panel system would not result.

Therefore, based on the claims as amended, and the explanation presented above, the rejection has been overcome and Applicant respectfully requests withdrawal of the rejection.

Buell/Karrfalt

Under the Official Action, claims 7 and 8 stand rejected under 35 USC § 103(a) as being unpatentable over US Patent No. 2,991,855 to Buell in view of US Patent No. 4,936,071 to Karrfalt.

Claims 7 and 8 have been canceled. Thus, the rejections are moot.

Buell/Snyder

Under the Official Action, claims 9, 10, 13 and 14 stand rejected under 35 USC § 103(a) as being unpatentable over US Patent No. 2,991,855 to Buell in view of US Patent No. 3,290,845 to Snyder.

Claims 9, 10, 13 and 14 have been canceled. Thus, the rejections are moot.

Buell/Nuernberger

Under the Official Action, Claims 11 and 12 stand rejected under 35 US § 103(a) as being unpatentable over US Patent No. 2,991,855 to Buell in view of US Patent No. 3,038,573 to Nuernberger.

Claims 11 and 12 have been canceled. Thus, the rejections are moot.

Conclusion

Based on the claims as amended pursuant to telephonic interview with Examiner on February 12, 2004, and the additional explanation provided above, the drawing objections have been overcome, the §102(b) rejections have been overcome, and the §103(a) rejections have been overcome and the application is in condition for allowance.

Claim 1 is drawn to a prefabricated connectable structural wall panel system, with mid-rib edge termination and capping or ramlock tube connection means.

The cited art simply does not disclose or teach Applicant's prefabricated, connectable structural wall panel system.

Therefore, Applicant respectfully requests withdrawal of the rejections and allowance of the claims. If Examiner wishes to discuss allowable language with Applicant's attorney, Kristin Kohler can be reached at 1-231-275-3799 and would be happy work with Examiner

In Re: Application of: Winter, T.
Deep-Ribbed, Load-Bearing, Prefabricated
Insulative Panel and Method for Joining

Page No. 11

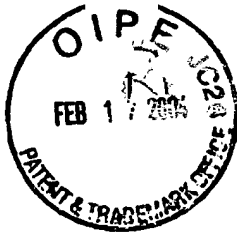
Dkt. No. WR-151-BIGW

towards allowance of this case if further discussion is necessary. Any fees associated with this
RCE Submission are submitted herewith.

Respectfully submitted,



Kristin Kohler
Attorney for Applicant
Registration No.41,907
1-231-275-3799
For: Dishong Law Offices
40 Bryant Road.
Jaffrey, NH 03452
1-603-532-7206



1/5

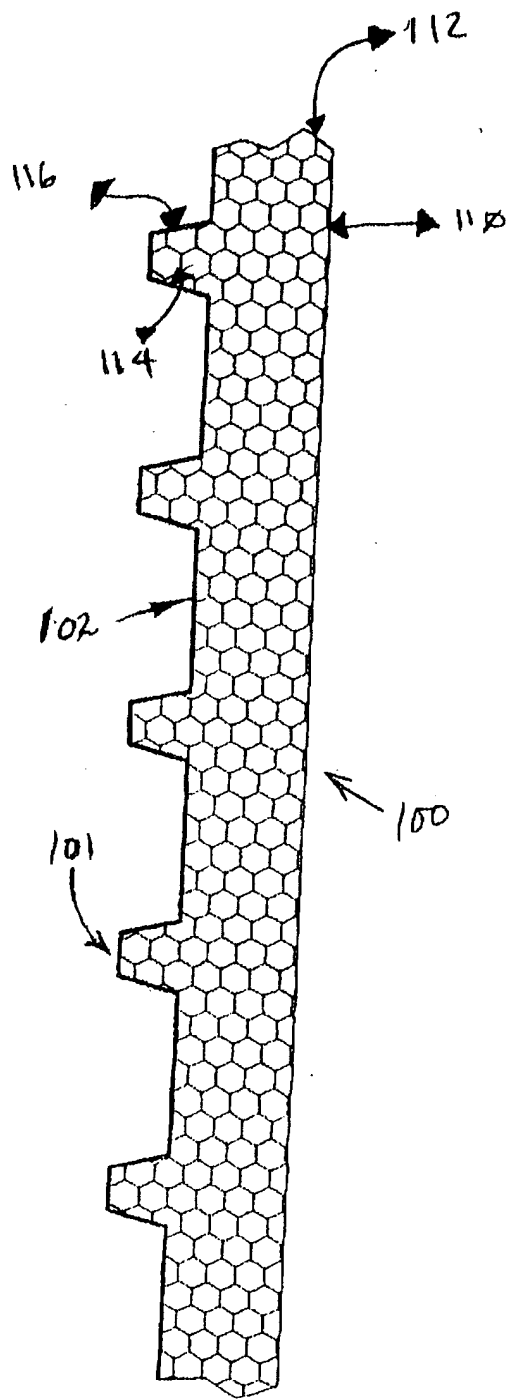


Fig. 1

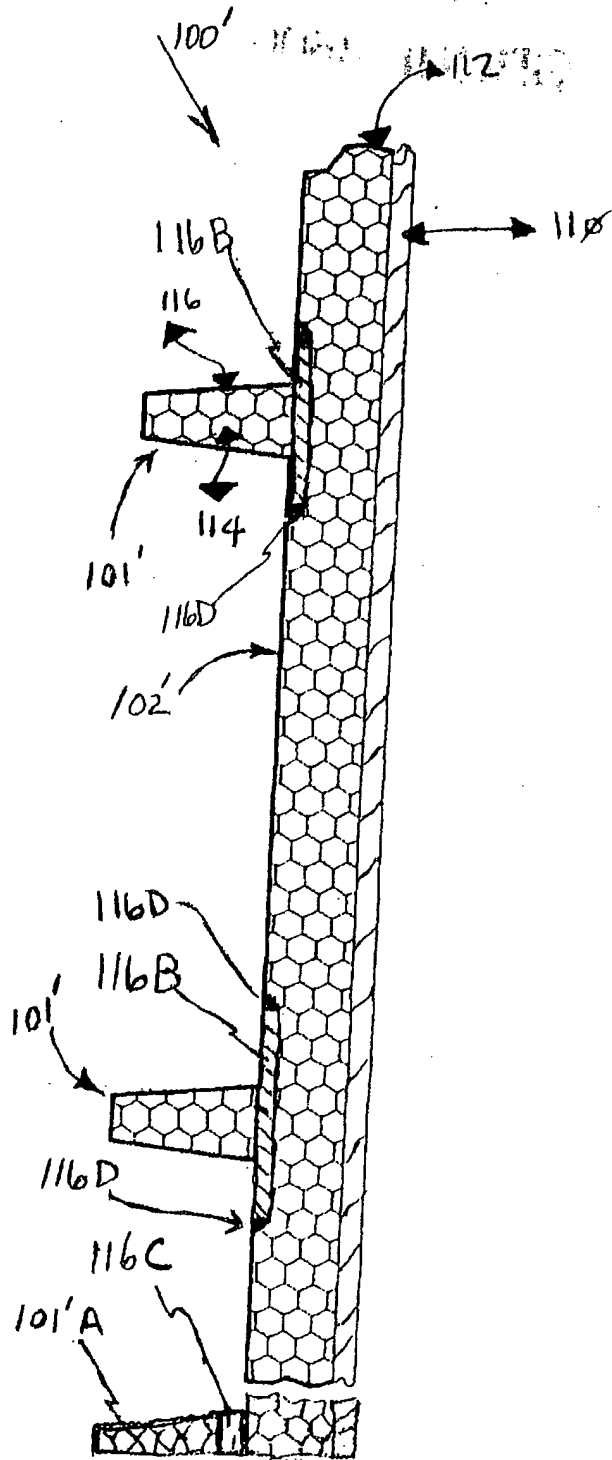


Fig. 1A